GOVERNMENT OF ANDHRA PRADESH ABSTRACT

Police – Sri S. Anjaneyulu, HC 127 of Medak District for notional seniority on par with junior – Orders – Issued.

HOME (SER-II) DEPARTMENT

G.O.Rt.No. 176

dated:7-2-2012 Read the following:

From the DGP, AP, Hyderabad, Lr.Rc.No.771/E3/2011, Dated: 9-9-2011

ORDER:

In the reference read above, the Director General of Police, AP, Hyderabad, has informed that Sri S. Anjaneyulu, HC 127 of Medak District was initially appointed as PC on 19-11-1983 and underwent pre-promotional training course of PCs fit to act as HCs and qualified in the year 2003. He was not promoted as HC along with his batch mates as an oral enquiry was pending against him. Later further action against the applicant was dropped in the said OE by treating the suspension period as on duty. The applicant was promoted as HC on 29-11-2005. Now the applicant is requesting for notional seniority on par with his batch mate Sri K.Kanakaiah HC 655 who was promoted as HC on 20-5-2004. The application submitted by the applicant on 29-10-2010 was already rejected by the DIG, N/R, Nizamabad stating the request for notional seniority cannot be considered as per Rule 26 (d) of AP State and Subordinate Rules, 1996 as per which "No appeal for restoration of seniority or assignment of notional seniority on par with juniors shall be determined by the appellate authority after the period of (90) days from the date on which junior was promoted.

- 2. The Director General of Police, Andhra Pradesh, Hyderabad, has further stated that as per G.O.Ms.No 104, GA (Ser.C) Dept., dated: 16-2-1990, if an applicant is completely exonerated from disciplinary proceedings/investigations Enquiry trail, he should be promoted /appointed to the post restoring him his rightful place with retrospective effect viz., with effect from the date on which the immediate junior was promoted or from the date on which he would have been promoted. At the time when the applicant's junior was promoted as HC, if his request was considered as per G.O.Ms.No. 104, he would have been promoted as HCs on par with his junior.
- 3. The Director General of Police, Andhra Pradesh, Hyderabad, has finally stated that as per Rule 23 of AP State and Subordinate Rules, 1996 "The Government may irrespective of the fact whether they are the appellate authority or not, revise such order of appointment after the expiry of the period of six months aforesaid, for special and sufficient reasons to be recorded in writing" He has therefore, requested to issue suitable orders in the matter.
- 4. Government, after careful examination of the matter, observed that the orders issued in G.O.Ms.No 104, GA (Ser.C) Dept., dated: 16-2-1990, makes it obligatory for the competent authority to restore his rightful seniority which was not done in the case of the applicant. Therefore, Government hereby assign notional promotion to Sri S. Anjaneyulu, HC 127 of Medak District, as Head Constable with effect from 20-5-2004 i.e the date on which his immediate junior Sri K.Kanakaiah HC 655 was promoted as HC.
- 5. The Director General of Police, Andhra Pradesh, Hyderabad, is requested to take necessary further action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P. GAUTAM KUMAR PRINCIPAL SECRETARY TO GOVERNMENT

To,
The Director General of Police, AP, Hyderabad
The individual through DGP, AP, Hyderabad
Sc/Sf

//Forwarded :: By order//

SECTION OFFICER